

Note: The court might want to ask whether time is waived, although under [Welf & I C §352\(c\)](#), waiver is implied if a party is represented by counsel and no objection is made to a continuance.

(6) *Settlement/readiness/status conference (if jurisdiction is not contested)*

You are ordered to be present at the [name of conference or hearing, e.g., settlement, readiness, status conference, or uncontested jurisdictional hearing] on [date], at _____ [a.m./p.m.], in Department _____. If you fail to appear, your default will be entered and the court may make findings and orders affecting your parental rights.

Note: The judge should make it clear that, whatever this conference is called, it is also a jurisdictional hearing, and the court will be able to make jurisdictional findings even if the parties fail to appear.

C. [§100.59] Draft: Detention Hearing Minute Order

Prepared by the Center for Families, Children, and the Courts

The court has read, considered, and admits into evidence:
social worker's detention report dated _____,

[List other reports]

_____,
_____,
_____.

and has made all required inquiries. Based on the information contained in the report(s) and the responses to inquiries, the court makes the following findings and orders:

1. Notice has been given as required by law.
2. Attorney, _____, is appointed to represent the child and as the child's Child Abuse Prevention and Treatment Act guardian ad litem.

[Or]

3. The child will not benefit from representation by an attorney and the court further finds:

(a) The child understands the nature of the proceedings;

The child is able to communicate and advocate effectively with the court, other counsel, other parties, including social workers, and other professionals involved in the case;

Under the circumstances of the case, the child would not gain any benefit by being represented by counsel; AND

(b) The court orders a Court Appointed Special Advocate appointed for the child and that person is appointed as the child's Child Abuse Prevention and Treatment Act guardian ad litem.

4. The court finds a prima facie showing has been made that the child comes within [section 300 of the Welfare and Institutions Code](#).

5. The court finds that continuance in the parents' or guardians' home is contrary to the child's welfare AND (select at least one):

(a) There is a substantial danger to the physical health of the child or the child is suffering severe emotional damage, and there are no reasonable means by which the child's physical or emotional health may be protected without removing the child from the parents' or guardians' physical custody.

(b) There is substantial evidence that a parent, guardian, or custodian of the child is likely to flee the jurisdiction of the court.

(c) The child has left a placement in which he or she was placed by the juvenile court.

(d) The child has been physically abused by a person residing in the home and is unwilling to return home.

(e) The child has been sexually abused by a person residing in the home and is unwilling to return home.

6. The court finds reasonable efforts were made to prevent or eliminate the need for removal of the child from his or her home.

[Or]

7. The court finds reasonable efforts were not made to prevent or eliminate the need for removal of the child from his or her home.

8 The court finds there are not available services that would prevent the need for further detention.

[Or]

9. The court finds there are available services that would prevent the need for further detention and orders the services provided and the child placed with his or her parent or guardian.

10. The court finds there is a relative who is able, approved, and willing to care for the child.

[Or]

11. The court finds there is not a relative who is able, approved, and willing to care for the child.

12. The court orders the child detained.

13. The court orders temporary placement and care of the child vested with the county child welfare department pending the hearing held pursuant to [section 355 of the Welfare and Institutions Code](#) or further order of the court.

14. The court orders services to be provided as soon as possible to reunify the child and his or her family.

15. The court orders the parent(s) to disclose to the social worker the names, residences, and any known identifying information of any maternal or paternal relatives of the child.

The child is ordered placed in:

___ the approved home of a relative.

___ an emergency shelter.

___ other suitable licensed place.

___ a place exempt from licensure designated by the juvenile court.

___ the approved home of a nonrelative extended family member as defined in [section 362.7 of the Welfare and Institutions Code](#).

The facts on which the decision to order the child detained are:

The initial removal of the child from the home was necessary because:

Visitation orders— with parents

— with siblings

Order _____ appointed as guardian ad litem.

D. [§100.60] Advisements and Inquiries at Detention Hearing

Prepared by the Center for Families, Children, and the Courts

1. Advise of right to be represented by counsel at each stage of proceedings (see [§§100.16–100.18](#)).
2. Advise of following hearing rights (see [§100.25](#)):